

REMARKS

Status

Claims 1-8 and 11-22 will be pending up entry of this amendment. Claim 9 is canceled and Claim 10 is withdrawn. Support for the amendments is inherent in the specification. Support for new Claims 11-16 can be found in original Claim 8. Support for new Claims 17-22 can be found in original Claims 10. No new matter would be added upon entry of this amendment.

Discussion

The Examiner has required restriction in the above-identified application and has divided the claims into two groups as described in the Office Action.

Responsive to the Office Action, Applicants affirm traverse the election of Group I and the species of Example 159, (3S,4S)-N-hydroxy-1-(1-methylethyl)-3-[[[4-[(2-methyl-4-quinolinyl)methoxy]phenyl]carbonyl]amino]-4-piperidinecarboxamide. Claims 1-8 and 10-22 are readable on the elected species.

Applicants appreciate the acknowledgement of the allowability of the elected species. Applicants understand that the election of Group I is a provisional election for purposes of search and examination. The present amendments to Claims 1-7 limit the scope of the invention to the elected subject matter as depicted by the Examiner on page 9 of the Office Action. Since the elected species is found to be allowable, Applicants respectfully request Claims 1-7 be fully considered and examined.

The objection of Claims 1-7 containing non-elected subject matter has been obviated by the present amendment. Withdrawal of the objection is respectfully requested.

With respect to Claim 10 and new Claims 17-22, Applicants respectfully request that these claims be rejoined upon a finding of allowable subject matter in Claims 1-7. These process claims are dependent upon the product claims thereby incorporating all the limitations of the product claims. Claim 10 has been amended to recite inflammatory diseases that involve TNF and is treatable by a TNF-specific antibody. Supporting

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Amendment

information was provided in a response to Office Action on October 30, 2002 in the parent application 09/811,233.

The rejection of Claim 8 under 35 U.S.C. 112, 1st paragraph, is respectfully traversed. Claim 8 is directed to a pharmaceutical composition comprising: a pharmaceutically acceptable carrier and a therapeutically effective amount of a compound according to Claim 1 or a pharmaceutically acceptable salt form thereof. The specification as filed gives sufficient guidance to one skilled in the art to make and/or use such a pharmaceutical composition, see pages 52-54 and 257-269. Withdrawal of the rejection is respectfully requested.

In view of the foregoing, Applicants submit that the application is now in condition for allowance. Early notification of such action is earnestly solicited. If the Examiner has any questions or believes further discussion will aid examination and advance prosecution of the application, a telephone call to the undersigned is invited.

Respectfully submitted,

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